



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY  
*FOIA Service Center*

May 28, 2019

Josh Israel  
MuckRock  
DEPT MR 35239  
411A Highland Ave.  
Somerville, MA 02144-2516

FOIA Request No. 17-01998-F

Dear Mr. Israel:

This letter is an interim response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated June 13, 2018 and received in this office on June 19, 2018. Your request was forwarded to the appropriate offices to search for documents that may be responsive to your request: Office of the General Counsel (OGC), Office of the Under Secretary (OUS), Office of the Secretary (OS), Office of Elementary and Secondary Education (OESE) and Office for Civil Rights (OCR).

You requested:

- Records for the following people, any and all emails sent or received between February 7, 2017 (or date of hire) and June 13, 2017 with the word(s): "climate", "climate change", "Paris accord", or "Paris agreement":
  - Secretary Betsy DeVos
  - James Manning
  - Rob Eitel
  - Josh Venable
  - Dougie Simmons
  - Ebony Lee
  - Jana Toner
  - Jose Viana
  - Jason Botel
  - Candice Jackson

An interim response dated, October 27, 2017 was sent to you containing 506 pages of documents responsive to your request. This response concerns records available in OESE. Enclosed is a CD containing 2,981 pages of documents responsive to your request. The documents provided are:

- Correspondence with the words "climate", "climate change" "Paris accord", or "Paris agreement."

However, certain information has been withheld according to FOIA exemptions (b)(5) and (b)(6), specified below:

- Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5) of the FOIA. This exemption permits the withholding of inter- or intra-agency information that could be withheld under civil discovery, including information subject to the deliberative process, attorney-client, or attorney-work product privileges.
- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. §552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

In addition the staff in the OCR informed the FOIA Services Center that after a thorough search of their files, they were unable to locate any documents that were responsive to your request.

At this time, the Department is continuing to process your request and your FOIA request case file remains open. It will not close until the Department provides you with a response regarding outstanding responsive documents. Our final release letter will contain information related to your appeal rights of the agency's decisions.

If you have any questions, please contact the FOIA Service Center at (202) 401-8365 or via e-mail at [EDFOIAManager@ed.gov](mailto:EDFOIAManager@ed.gov).

Sincerely,

*Arthur Caliguiran*

Arthur Caliguiran  
FOIA Analyst  
FOIA Service Center

Enclosure